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FINANCIAL RECOVERY SERVICES, INC.,  
d/b/a FINANCIAL RECOVERY STRATEGIES

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION,

Master File No. CV-07-5944-JST  
MDL No. 1917

**CLASS ACTION**

**REQUEST OF FINANCIAL  
RECOVERY STRATEGIES TO  
CLARIFY ORDER GRANTING  
MOTION FOR PRELIMINARY  
APPROVAL**

This Document Relates to:

INDIRECT PURCHASER ACTIONS  
FOR THE 22 STATES

Re: ECF No. 5695

Judge: Hon. Jon S. Tigar  
Hearing Date: To Be Determined on the  
Papers

1 Financial Recovery Services, Inc. d/b/a Financial Recovery Strategies (“FRS”)  
2 respectfully requests that the Court clarify the Order Granting Motion for Preliminary  
3 Approval (the “PAO”) issued on March 11, 2020. *See* ECF No. 5695. As discussed more  
4 fully in the briefs filed by FRS, Spectrum Settlement Recovery, LLC and Crowell &  
5 Moring LLP in October 2019 regarding the treatment of claims filed after the December 7,  
6 2015 filing deadline (“Late Claims”), *see* ECF Nos. 5588, 5608, 5609 and 5618, if the  
7 Court does not address the Late Claims issue now, the eventual distribution of the  
8 settlements will be further delayed while litigation continues regarding the treatment of  
9 Late Claims.

10 As the Court recognized, Rule 23(e)(2)(C)(i) requires the Court to consider  
11 “whether the Settlement ‘improperly grant[s] preferential treatment to class representatives  
12 or segments of the class.’” PAO at 16-17 (quoting *In re Tableware Antitrust Litig.*, 484 F.  
13 Supp.2d 1078, 1079 (N.D. Cal. 2007). Given that more than four years have now passed  
14 since the December 2015 claims filing deadline and that the delay in the distribution was  
15 not caused by Late Claims, the Court, to ensure the equitable treatment of all claimants in  
16 the 22 states who were harmed in the same way by Defendants’ practices, should order  
17 either (a) that all claims filed as of the date of the PAO shall be considered timely and, if  
18 otherwise eligible, included in the distribution; or (b) if the Court is so inclined, all  
19 otherwise eligible claims filed by a new deadline set by the Court – for example, July 8,  
20 2020, the date scheduled for Final Approval Hearing – shall be considered timely and be

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1 included in the distribution. Absent that clarification, the PAO could otherwise arbitrarily  
2 deny compensation for thousands of claimants whose claims have been processed over  
3 these last four-plus years.

4  
5 DATED: March 13, 2020

Respectfully submitted,

6 ROSEN BIEN GALVAN & GRUNFELD LLP

7  
8 By: /s/ Jeffrey L. Bornstein

9 Jeffrey L. Bornstein

10 Attorneys for  
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